

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION
AGAINST DISCRIMINATION &
LEDAMA OLEKINA,
Complainants

v.

DOCKET NO. 05-BPA-01177

MR. ALAN CLOTHING, INC.
& ALAN SWARTZ,
Respondents

Appearances:

C. Max Perlman, Esq. for the Complainant
Peter J. Muse, Esq. for the Respondents

DECISION OF THE FULL COMMISSION

On January 26, 2011, hearing officer Eugenia M. Guastaferrri issued a decision in favor of Respondents in the above-entitled matter. Complainant was duly notified of the decision and his appeal rights. Complainant filed a Notice of Appeal to the Full Commission on February 10, 2001.

The Commission's Rules of Procedure require that an aggrieved party must file a Notice of Appeal to the Full Commission, pursuant to 804 C.M.R. 1.23(1). The Commission's Rules of Procedure further require that an aggrieved party must file a Petition for Review within 30 days of receipt of the decision of the single commissioner or hearing officer, setting forth:

(a) facts showing the appellant to be aggrieved; (b) All matters alleged to have been erroneously decided; (c) all other matters on which the appellant relies and (d) the relief sought.

While Complainant filed a timely Notice of Appeal, he has failed to file a Petition for Review. We conclude that Complainant's appeal shall be dismissed for failure to comport with the Commission's requirement of filing a timely Petition for Review.

Whereas Complainant has failed to perfect his appeal by filing a timely Petition for Review, the appeal is dismissed. Accordingly, the decision of the hearing commissioner is final and binding.

SO ORDERED, this 19th day of October, 2011.

JULIAN T.TYNES,
Chairman

Sunila Thomas-George,
Commissioner

Jamie Williamson,
Commissioner